

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

BRANDON JONES,

Plaintiff,

v.

WILLIAM J. PULTE,

Defendant.

Case No.

DEMAND FOR JURY TRIAL

COMPLAINT FOR DEFAMATION

COMES NOW Plaintiff Brandon Jones (“Jones”) and states his Complaint for Defamation against Defendant William J. Pulte (“Pulte”), as follows:

Introduction

1. For the last three months, Pulte has engaged in a tireless false and *per se* defamatory smear campaign against Jones. From social media to mainstream media, Pulte has published no less than 200 statements smearing Jones. Pulte’s goal is clear—the total and wrongful destruction of Jones’s personal and professional reputation as part of his broader attack against PulteGroup, Inc. (“PulteGroup”) and its leadership.

2. Pulte targeted Jones in part because of Pulte’s belief that Jones has pushed back on Pulte’s false narrative that Pulte is now the de facto head of the

Pulte family and the torchbearer of the life's work of his grandfather, William Pulte, who was the founder of PulteGroup.

3. PulteGroup is a Fortune 500 company that was built off the hard work of the founder William Pulte and countless employees, as opposed to that of Pulte himself. Pulte sat on the board of the company from 2016 to 2020.

4. Pulte has attempted to elbow his way back into PulteGroup, including by attempting to take credit for the hard work of others, by portraying himself as the heir apparent to the founder William Pulte, and by relentlessly attacking the company and its leadership, which included Jones.

5. Indeed, Pulte views Jones as a roadblock to his goals. Jones was a longtime employee of PulteGroup, who over a nearly twenty-year career worked his way up to being appointed as COO—a position he would have assumed Q1 2023.

6. In 2022, Jones had served as PulteGroup's Senior Vice President for Field Operations, during which he had oversight for the thousands of employees executing the company's core business—building homes. By the end of that year, PulteGroup posted its all-time record for earning per share and for revenue—making the case for Jones's promotion to COO.

7. The success of the company undercut Pulte's false narrative that the company was mismanaged and required his board services to right the ship.

8. In December of 2022, Pulte demanded that Jones be terminated by PulteGroup, and Jones was subsequently terminated with the stated reason being that he violated the Company's Code of Ethical Business Conduct.

9. In and around that time, Pulte began his smear campaign against Jones, viewing it as an opportunity to inflict damage on Jones, PulteGroup, and its leadership.

The Parties

10. Plaintiff Brandon Jones is an individual residing and domiciled in Cobb County, Georgia, and is a citizen of the State of Georgia.

11. Defendant William J. Pulte is an individual residing and domiciled in Palm Beach County, Florida, and is a citizen of the State of Florida.

Jurisdiction and Venue

12. There exists complete diversity of citizenship between Jones on the one hand and Pulte on the other hand.

13. The amount in controversy exceeds \$75,000, exclusive of interest, costs, and attorneys' fees.

14. Therefore, this Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. § 1332(a)(1).

15. Venue is proper in the United States District Court for the Northern District of Georgia, Atlanta Division, pursuant to 28 U.S.C. §§ 1391(b)-(c) because Jones resides in this judicial district and resided in this District when the events giving rise to the claims herein occurred.

16. This Court has personal jurisdiction over Pulte pursuant to O.C.G.A. § 9-10-91(3) because he committed a tortious injury in this state as to Jones, caused by an act or omission outside this state, and Pulte regularly does or solicits business in this state, and engages in other persistent courses of conduct in this state sufficient to anticipate being haled into court in the State of Georgia.

17. This matter involves Pulte's false and defamatory statements made on the World Wide Web, on Twitter, on podcasts, Youtube, on various local and national news sites, and in multiple televised interviews on national networks—all of which were published in Georgia.

18. Pulte's false and defamatory statements that are subject of this Complaint include those he published in an interview with the Atlanta Journal-Constitution ("AJC") on December 16, 2022. The AJC is headquartered in

Dunwoody, Georgia, and is the Georgia newspaper with the largest circulation in the state.

19. Georgia is the place where the injury to Jones is focused. The relationship between the parties is centered around PulteGroup, Inc., which is an Atlanta, Georgia based home construction company that ranked 267th on the Fortune 500 list for 2022. PulteGroup, Inc.'s principal place of business is in Fulton County, Georgia.

20. Many of Pulte's false and defamatory tweets were specifically targeted at a Georgia audience, including no less than 3 tweets in which he linked to PulteGroup, Inc.'s Twitter account, and no less than 15 tweets in which he linked to PulteGroup's stock ticker.

21. In the midst of making the false and defamatory publications at issue in the action, Pulte was actively reaching into Georgia for sources for said publications, including directly contacting the executive team and board of PulteGroup.

22. Pulte is the CEO of Pulte Capital Partners LLC, a company that is organized in Michigan that also has business interests in Georgia, including an ownership interest in at least one Georgia company.

23. Upon information and belief, Pulte is the sole member of Pulte Capital Partners LLC.

24. From 2016 to 2020, Pulte was a director of PulteGroup while the company was headquartered in Georgia. While Pulte currently has no formal role in the company, he constantly tweets about the company, including to trade on the great reputation the company has built through the work of his Grandfather and employees, like Brandon Jones .

25. On October 15, 2022, Pulte tweeted that “Pulte Homes is based in Atlanta where I have business associates, lawyers, and many teammates (you guys) so this hit ‘home’ and really ticked me off.”

26. On May 4, 2022, Pulte tweeted “Did you know Pulte Homes is based in Atlanta I am traveling to Atlanta tomorrow. Always love spending time there.”

27. During all relevant times, Pulte regularly engaged with PulteGroup employees online, including Georgia-based employees—including on LinkedIn and Twitter.

28. Jones is known primarily in Georgia, and it is the state where his reputation suffered the greatest injury.

Facts Common to All Counts

I. Pulte Background Facts

29. Pulte has developed a large Twitter presence with 3.2 million followers, including followers in the State of Georgia and elsewhere.

30. Despite Pulte and Jones only meeting once in person, at the funeral of William Pulte, for at least the past four years, Pulte has been outspoken critic of Jones.

31. Pulte has no current role with PulteGroup.

32. Pulte is the grandson of the company's founder, who leveraged his familial connection to obtain a board seat for 2016 to 2020.

33. Pulte has since been a critic of the PulteGroup and the executive team, which has included Jones.

34. Pulte's false and *per se* defamatory campaign against Jones is part of Pulte's parallel campaign to oust PulteGroup's leadership, to damage the company, and to gain power over the company, including through a board seat.

35. Pulte also has a personal vendetta against Jones and has described pursuing Jones as a "spiritual mission," including because of Pulte's belief that Jones has pushed back on Pulte's false narrative that Pulte is now the de facto head

of the Pulte family and the torchbearer of the life's work of his grandfather, William Pulte.

36. In late 2022, on the eve of Jones' promotion to Chief Operating Officer of PulteGroup, Pulte launched an intentional, malicious, false and defamatory public smear campaign against Jones.

II. Jones Background Facts

37. Jones is a very private family man who is the breadwinner for his family.

38. Jones spent the majority of his professional life, more than 18 years, working at PulteGroup.

39. In August 2004, Jones began as the Director of Operations in Arizona for PulteGroup and was frequently recognized and promoted for his accomplishments. Jones relocated around the country for new promotions within the company four times.

40. By March 2019, Jones was the Area President for the entire Southeast area of PulteGroup.

41. In October 2021, Jones was elevated to the position of Senior Vice President – Field Operations—a position which he held until December 2022. In that position, Jones was in charge of the company's home building operations and

thousands of employees. During his tenure, the company thrived, including posting its all-time record for earning per share and for revenue—making the case for Jones’s promotion to COO.

42. The success of the company, including through Jones’s work on the executive team, undercut Pulte’s narrative that he needed to rejoin the board to fix PulteGroup.

43. Jones was named Chief Operating Officer of PulteGroup in October 2022 and was expected to begin in the role formally on January 1, 2023.

44. Pulte took credit for Jones’ firing, calling it his “first victory” in a December 16, 2022, tweet.

45. Jones is and has always been a very private individual. Jones had not achieved notoriety, prominence, or fame within society when Pulte published the False Accusations.

46. Pulte published the False Accusations at a time when Jones himself was not making any public statements about Pulte.

47. Jones had not thrust himself to the forefront of particular public controversies, including regarding Pulte, in order to influence the resolution of the issues involved when Pulte published the False Accusations.

48. Jones has no realistic opportunity to counteract the false statements made by Pulte, which Pulte made from the mouthpiece of his regularly utilized national media outlets and his Twitter account with 3.2 million followers.

III. Pulte's False and *Per Se* Defamatory Statements

49. On December 14, 2022, Pulte filed a lawsuit asserting, *inter alia*, claims for defamation against Jones, which he failed to serve for nearly six weeks.

50. Since mid-December 2022, Pulte has tweeted about Jones more than 200 times to his 3.3 million followers, has given interviews to multiple cable news outlets where he defamed Jones, has given interviews to newspapers defaming Jones, has released numerous press releases libeling Jones, and made other various defamatory publications on YouTube, LinkedIn, and videoblogs.

51. Pulte went so far to create a libelous website (“Website”), the sole purpose of which is to defame Jones and ruin his reputation. The website has a prominent picture of Jones taken from his wife’s private Facebook page depicting Jones on the day of his father’s funeral. The website requests that visitors submit “whistleblower” information about Jones. Pulte frequently promotes the Website.

52. Pulte has also offered his Twitter followers money to engage with his false and *per se* publications about Jones: e.g., offering a \$1,000 sweepstakes to people who watch a false and *per se* defamatory video he tweeted about Jones.

53. Pulte has also directly messaged influencers offering them money to retweet his false and *per se* publications about Jones.

54. Pulte has also asked his Twitter followers, which includes Georgia residents, to provide him with negative information about Jones.

55. Pulte has enticed Twitter users to follow him or sign up on the Website for “lawsuit updates.” In that tweet, Pulte disclosed that he “[t]old our lawyers to find a way we can give subscribers an hour or two lead on some of these breaking stories unfolding in the ‘Bill Pulte v. Brandon Jones (ex COO of PulteGroup)’ case.”

56. As was foreseeable, Pulte’s false and defamatory smear campaign against Jones has resulted in Jones’s life being threatened.

57. On December 30, 2022, before Pulte published many of the false and *per se* defamatory statements published below, Jones sent Pulte a cease-and-desist letter to Pulte. The letter put Pulte on notice of the false and defamatory nature of the accusations that Pulte had been making about Jones. A true and correct copy the cease and desist it attached hereto as Exhibit “A”.

58. Despite this, Pulte persisted in falsely defaming Jones.

59. On March 3, 2023, Jones sent Pulte a retraction demand, a true and correct copy of which is attached hereto as Exhibit “B”.

60. Rather than retract, Pulte triple downed on his false and *per se* defamatory accusations about Jones, accelerating his attacks.

61. On March 8, 2023, Jones informed Pulte that Pulte's tweets were causing people to threaten Jones's life. After Pulte was informed of these threats, Pulte continued to defame Jones and did not attempt to dissuade third parties from threatening violence.

A. Pulte's False and Defamatory Media Appearances

62. On or about December 14, 2022, Pulte appeared for an interview on CNBC that was broadcast into Georgia during which he made the following comments conveying false and *per se* defamatory meanings about Jones:¹

This guy's [Jones] the number 2 now in the company, he's running this bot campaign as far as we can tell ok and we've got pretty good forensic proof on this, which is gonna be proven out in the suit . . . [Jones is] incessantly [waging a twitter bot campaign against me and my grandfather as well as other members of the Pulte Family]. . . . This is the type of conduct that is not appropriate for an executive.

63. On or about December 27, 2022, Pulte made an appearance on Anthony Pompliano's podcast in an episode entitled "Bill Pulte on Twitter, Elon Musk, Bot Farms & Bitcoin" that was broadcast into Georgia during which he

¹ See <https://www.cnbc.com/video/2022/12/15/zoning-is-a-bigger-headwind-to-housing-than-inventory-says-pulte-capital-ceo-bill-pulte.html>. Additionally, as with all or nearly all articles and interviews referenced herein, this interview is also found on Pulte's Twitter profile where Pulte republished and amplified it.

made the following comments conveying false and *per se* defamatory meanings about Jones:²

Basically the number 2 in this Fortune 500 company . . . taking a dead guy's identity and repurposing it for these twitter bots, for example, and then having these AI generated photos . . . and they're all attacking and amplifying each other. And what's really interesting about it is that we saw a lot of nonpublic confidential information coming from these different accounts, these fictitious accounts, and so . . . I was able to pick up on . . . that's not information that's out there in the public domain, this is potentially a problem.

...

OK, how did this guy have this much time to do this kind of stuff on company time, (allegedly, we have very good proof), and potentially on company devices and company equipment?

...

It's another thing to invest in a Fortune 500 company and have an executive be running something like this [a bot network].

...

All these wild allegations, looks like they're pretty darn true.

...

This was calculated, very malicious. . . . You very rarely see a well-compensated fortune 500 executive use that brain power to conceal his identity and discuss the company by which he is senior executive of.... When you go to sell stock, or you go to discuss stock . . . and you're a senior executive with information that the public is unaware of, you cannot be using that position to put out information as long as you're not disclosing that to all investors and there are investor relations departments . . . information that only somebody on the inside would know. . . . This is stuff that only somebody with access to board materials or to the CEO would know.

...

² See <https://www.youtube.com/watch?v=FqO3YESpLKo&t=733s>.

One of the things that he allegedly did was he was attacking people for not being able to qualify for a Pulte home. Not being able to purchase a Pulte home necessarily. And that's also what we want to make sure that executives aren't making fun of people for their financial status.

...

In fact, I just started Pulte Files this last week to expose these different bots that were using dead people's identities to attack me and my family.

...

No bot farms, no multiple fake identities, don't steal from dead people's identities, start attacking me and my dead grandpa maliciously.

64. On or about December 28, 2022, Pulte made an appearance on Bloomberg TV that was broadcast into Georgia during which he made the following comments conveying false and *per se* defamatory meanings about Jones:³

That's kind of why I've been tough on our legacy family business, Pulte Homes, recently; they had a rogue executive doing some nonsense.... There were at least, as far as we know, 6 or 7 different bots . . . that were attacking me and my family being operated by the number 2 in this Fortune 500 company. . . . It's hard for people to understand that somebody could be number 2 in a Fortune 500 company doing this kind of stuff. I mean they are attacking my dead grandfather who founded this fortune 500 company.

65. On or about January 10, 2023, Pulte made an appearance on the podcast Action and Ambition in an episode titled "Bill Pulte is Bringing Joy To the Internet By Helping People With Critical Needs and Terminal Illness" that was

³ See <https://www.youtube.com/watch?v=RLYjjOPOXc8>.

broadcast into Georgia during which he made the following comments conveying false and *per se* defamatory meanings about Jones:⁴

Come to find out . . . the gentlemen was running a series of sophisticated . . . fictitious accounts to relentlessly attack my dead grandfather and I. He would use the identities of dead people for example. . . . This was not your average insult or troll; this was a very calculated, malicious thing I think it's been very hard for people to believe that a number 2 of a Fortune 500 company would be doing something like this. . . . You can't really have . . . an executive screwing around and using time to basically harass the founding family, meaning me, my grandfather.

66. On or about January 12, 2023, Pulte made an appearance on Fox Business that was broadcast into Georgia during which he made the following comments conveying false and *per se* defamatory meanings about Jones:⁵

He stole the identity from a dead guy, posing as a dead guy to attack me, attack my father, grandfather. . . . [Jones was] operating these fake bot networks, these fake accounts, to attack us, conceivably in my opinion to probably make sure that . . . their job is safe. . . . Frankly we just want to run this down and make sure nothing more nefarious is going on. I mean it does beg the question, how is this guy on company time running all of these fake accounts? [T]hese accounts, they start attacking me and putting the stock ticker in. I don't even know how this stuff is legal, it may be illegal. I don't know. . . . You cannot be doing this kind of nonsense and be running a 15 billion dollar company. You just can't do it.

⁴ See <https://www.entrepreneur.com/listen/action-and-ambition/442582>.

⁵ See <https://video.foxbusiness.com/v/6318556052112#sp=show-clips>.

67. On or about February 1, 2023, Pulte made another appearance on Fox Business that was broadcast into Georgia during which he made the following comments conveying false and *per se* defamatory meanings about Jones:⁶

We talked a little bit about the twitter bot harassment campaign that a gentleman who was the COO, incoming COO, of PulteGroup was levying against our family. . . . The Board said that the investigation was complete. Frankly, it's totally incomplete because I was the victim of this harassment. I think there is potential violation of criminal statutes here.

B. Pulte's False and Defamatory Statements to Print Media

68. On or about December 14, 2022, Pulte made statements to the Detroit Free Press, which were published online and available in Georgia, during which he made the following comments conveying false and *per se* defamatory meanings about Jones:⁷ “But to have a sophisticated bot network that’s being run by a No. 2 at a Fortune 500 company is totally and completely inappropriate.”

69. On or about December 14, 2022, Pulte made statements to Bloomberg, which were published online and available in Georgia, during which he made the following comments conveying false and *per se* defamatory meanings

⁶ See <https://video.foxbusiness.com/v/6319595668112#sp=show-clips>.

⁷ See <https://www.freep.com/story/money/business/2022/12/14/pulte-grandson-sues-pultegroup-exec-twitter-trolling/69728089007/>. Again, like Pulte’s on-air media interviews, Pulte republished this article and all or virtually all other articles mentioned herein to his Twitter page.

about Jones:⁸ “Jones brings scandal to Pulte Homes by running Twitter Bots to smear me, The Pulte Family, undisclosed tweets about \$PHM stock, and we have evidence of attacks against some of YOU. This ends today. #StopTheBots.”

70. On or about December 16, 2022, Pulte made statements specifically targeting a Georgia audience to the Atlanta Journal Constitution, which were published online and available in Georgia, during which he made the following comments conveying false and *per se* defamatory meanings about Jones:⁹

William J. Pulte . . . said he had informed the board of directors on Monday that Jones had been carrying out an online campaign—mainly on Twitter—using stolen identities and aliases to accuse Pulte and his family of arson, elder abuse and violations of securities laws.

. . .

Pulte said Jones committed many of these actions while at work and while using company computers. He asked for an investigation by the Securities and Exchange Commission as to whether regulations or laws have been broken.”

C. Pulte’s False and Defamatory Statements to PulteGroup

71. On December 12, 2022, Pulte communicated to PulteGroup, including communications into Georgia, during which he made the following comments

⁸ See <https://www.bloomberg.com/news/articles/2022-12-14/homebuilding-heir-alleges-new-coo-is-behind-twitter-bot-attacks>.

⁹ See <https://www.ajc.com/news/atlanta-news/pulte-group-exec-fired-after-founders-grandson-alleges-online-attacks/RSQ4UN6TDFB3LOR3MP7NRGTEJE/>.

conveying false and *per se* defamatory meanings about Jones: Pulte communicated to PulteGroup, including its board of directors, that Jones had been carrying out an online bot campaign—mainly on Twitter—using stolen identities and aliases to accuse Pulte and his family of arson, elder abuse and violations of securities laws.

D. Pulte’s False and Defamatory Press Releases

72. On or about December 14, 2022, Pulte issued a press release that was published online and available in Georgia, in which he made the following comments conveying false and *per se* defamatory meanings about Jones:¹⁰

Pulte Family Alleges Incoming COO of PulteGroup Used Twitter Based Bot Network to Target Pulte Family

...

The Pulte Family has called for an independent investigation firewalled off from executives to assess the extent to which company and shareholder resources were used in Jones’ alleged illicit behavior. . . . These fake profiles included appropriating the full identity of a deceased man, ‘Raymond Porter’ of Olive Hill, Kentucky, who passed away on October 28, 2018. . . . The Raymond Hutchinson account is part of a fabricated network weaponized against Bill Pulte and other members of the Pulte family. Jones oversees thousands of subordinates but found himself in violation of PulteGroup’s Code of Conduct, the employee handbook, when using his accounts to allegedly engage with illicit pornography accounts. In other instances, Jones made representations about employee layoffs, past and future performance, and what is believed to be internal board conversations he was not a party to, in violation of both PulteGroup and SEC guidelines. In one

¹⁰ See <https://www.prnewswire.com/news-releases/pulte-family-alleges-incoming-coo-of-pultegroup-used-twitter--based-bot-network-to-target-pulte-family-301703394.html>.

instance, Jones used his bot network to contact the Detroit News and the Detroit Free Press to falsely publish that Pulte was accusing his own father of burning down his country club. . . . [W]e have asked the independent board members of PulteGroup . . . to determine if any crimes were committed by Brandon Jones, including his undisclosed promotion of PulteGroup stock and information that may have been confidential.

73. On or about December 16, 2022, Pulte issued a press release that was published online and available in Georgia, in which he made the following comments conveying false and *per se* defamatory meanings about Jones:¹¹

Today, the Board of Directors took a necessary, first step in limiting any future legal liability in acknowledging the defamatory Bot Network ran on Company time by Brandon Jones. . . . Now that the preliminary investigation . . . determined that the Bot Attacks were covertly operated by Brandon Jones, The Pulte Family expects the Board of Directors . . . to conduct an independent investigation to determine if any SEC regulations, federal law, and other company policies were broken. . . . While management is threatening layoffs and failing to diversify the management team, Jones, as a member of management, has found time to run secret Twitter accounts whilst enforcing PulteGroup social media policies on employees at the same time. . . . On December 14, 2022, the Pulte Family filed a civil complaint against **Brandon Jones, for allegedly tortiously interfering, stalking, harassing, and defaming the company's founder, William J. Pulte (1932-2018), his grandson Bill Pulte, and his family through Jones' creations of a sophisticated network of Twitter bots.**

¹¹ See <https://www.prnewswire.com/news-releases/bill-pulte-issues-statement-on-termination-of-pultegroup-coo-brandon-jones-301705412.html>.

E. Pulte's False and Defamatory Publications of His Complaint

74. After Pulte filed his complaint against Jones in Florida, Pulte engaged in an extensive campaign to publicize the complaint, including by republishing it on his own website—and amplifying that website via Twitter—created to further defame and damage Jones: <https://pultelawsuit.com/>.

75. The complaint, as published on <https://pultelawsuit.com/> and available in Georgia contains the following statements conveying false and *per se* defamatory meanings about Jones:

- 14. . . . Jones . . . was . . . not qualified for the position proposed [COO].
- 29. Upon information and belief, Jones has created a sophisticated network of fictitious accounts (“bots”, the “botnet”, or “bot network”) to target, publish and artificially amplify incessant, targeted, coordinated and malicious harassment attacks on Pulte, his grandfather and The Pulte Family.
- 28. Upon information and belief, PulteGroup Inc. resources were used in the commission of this tort.
- 30. To conceal his identity and actions, Jones uses and frequently changes fake names for his bots. In at least one case, Jones appears to have stolen the identity or photograph of a deceased man to conceal Jones's own identity. It appears that Jones is using PulteGroup-paid-time and PulteGroup-paid property to operate his botnet. It is likely that Jones is using PulteGroup-controlled IT-issued devices to operate the botnet.
- 33. PulteGroup's Code of Ethical Business Conduct prohibits the behavior Jones exhibited in dozens of replies and malicious tweets directed at Pulte and

his family. Shockingly, he violated nearly every point envisioned by PulteGroup:

- Disrespectful, unprofessional, unethical comments.
- Offensive material, such as pornography, sexually suggestive content, racial slurs, offensive language or jokes in the workplace, posted/shared on social media, or expressed to or about members of the Pulte[Group] community, including customers, employees, or trades.
- Derogatory comments regarding another person, such as that person's age, sexual orientation, religious beliefs, national origin, disability or any other protected classification in the workplace, posted/shared on social media, or expressed to or about members of the Pulte[Group] community, including customers, employees, or trades.
- False, misleading, deceptive, derogatory or disparaging statements about any third parties, including competitors (there is no reason to ever discuss a competitor on social media site).
- Usage that is inconsistent with the policies in the Code of Conduct or employee handbook.
- Communications prohibited by law or designed to encourage illegal or improper behavior.

See pp. 26-28 of PulteGroup's Code of Ethical Business Conduct a copy of which is attached hereto as Exhibit "N".

- 36. Jones is targeting Pulte with his false, defamatory and harassing Twitter posts . . . under at least five different names including stealing the identity or photo of a deceased man.

- 37. His bot network's behavior includes constant and repetitive attacks on the Pulte family, accusing members of the Pulte family of crimes, specifically arson, elder abuse and securities laws violations that they did not commit, following illicit pornography, and personally insulting Pulte's Twitter followers. As stated above, PulteGroup's Code of Ethic Business Conduct prohibits regular engagement Jones exhibited with 'pornography, sexually suggestive content.' *See* p. 27 of Exhibit "N".
- "38. Often, Jones's insults are made with non-public, confidential information from PulteGroup Inc."
- "39. Jones uses his fake identities to evade disclosure required by both PulteGroup Inc.'s Employee Handbook and the Securities and Exchange Commission ('SEC')."
- "40. Jones's activities function as a pseudo Investor Relations Department for PulteGroup Inc., which is another violation of PulteGroup's Code of Conduct, assuming Jones' bots were not authorized to make such statements on behalf of the Company."
- "41. Jones's bots wait for posts from Pulte and then the bots jump into the public comment to plant falsehoods, make statements that either are not true or rely on confidential, nonpublic information and/or disparage Plaintiff's reputation. To avoid detection, and after hurling insults at Pulte and his fans, Jones will often delete his bot's public tweets. Jones's tactics are calculated, malicious, defamatory and unlawful."
- "42. Upon information and belief, Jones has been internet stalking, defaming, and harassing Pulte on Twitter, and possibly several other websites, since at least 2021."
- "43. . . . The primary reason for repurposing of this Twitter account became targeting, internet harassment and interfering with ongoing social conversations of Pulte."

- “44. On or about February 12, 2022, the display name of the ‘@GoDetroitWin’ Twitter account was again changed, this time to a fake name ‘Raymond Hutchinson’ with a profile picture stolen from an elderly man. According to an online obituary, this elderly man’s real identity is ‘Raymond Porter’ of Olive Hill, Kentucky who passed away on October 28, 2018. The account has been improperly appropriated to misrepresent who is the owner of the account. . . . It is likely that this identity was unlawfully taken by Jones without permission of Mr. Raymond Porter’s family.”
- “45. On or about May 12, 2022, Jones changed ‘Raymond Hutchinson’ on the ‘@GoDetroitWin’ Twitter account to a new fake identity, ‘Douglas A. Baldwin’, with a profile picture of a young adult male – who is not Jones – in his late 20’s to 30’s. It is unclear if this person is a sophisticated ‘deep fake’ image or if this is another case of identity theft by Jones.”
- “47. . . . It is unclear if this person is a sophisticated ‘deep fake’ image or if this is another case of identity theft by Jones.”
- “48. . . . A gentleman who is not Jones is pictured in the profile’s picture to deliberately mislead Pulte’s followers and the investment community into thinking this person is a serious business journalist. . . . It is unclear if the person in the profile photo is a sophisticated ‘deep fake’ image or if this is another case of identity theft.”
- “52. Jones’s Twitter accounts frequently comment on Pulte’s Twitter posts and have embarked on a vindictive campaign of falsehoods as a means to sully Pulte’s good name and the charitable work in which he engages. Jones’s bots have published during business hours when Jones should be focused on the work of Pulte Homes – not disparaging a former Board member, and indirectly, Pulte Homes for whom Jones works.”
- “55. . . . As a former board member, Pulte believes Jones received private board information that was then used to publish false and partial

misinformation.”

F. Pulte’s False and Defamatory Website

76. On or about December 14, 2022, Pulte launched the website <https://pultelawsuit.com/>.

77. Pulte republished and promoted the website, including through media interviews and references to the website in his tweets.

78. On said website, which Pulte published online and was available in Georgia, he made the following comments conveying false and *per se* defamatory meanings about Jones:

- 1) Fortune 500 Pulte Group’s Incoming COO Brandon Jones Running Bot Network
- 2) Stalking, harassing, and defaming The Pultes as part of nefarious smear campaign
- 3) Stole the identity of a deceased man to conceal his identity
- 4) Weaponized fabricated bot network to give the fake impression of engagement
- 5) Board needs indep. investigation to prevent Jones doing irreparable harm to the company & Pulte’s

G. Pulte's False and Defamatory Social Media Posts

79. Pulte controls at least two Twitter Accounts, @pulte and @realPulteFamily, which he has used to publish a torrent of false and *per se* defamatory accusations about Jones.

80. On or about December 14, 2022, Pulte published a series of tweets that were viewed in Georgia, in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory Complaint he filed against Jones:¹²

¹² See <https://twitter.com/pulte/status/1603090696872890369>; <https://twitter.com/pulte/status/1603165978057113602>; <https://twitter.com/pulte/status/1603187073447768065>.



Pulte ✓
@pulte

I'm suing the hell out of Mr. Brandon Jones

Jones brings scandal to Pulte Homes by running Twitter Bots to smear me, The Pulte Family, undisclosed tweets about [SPHM](#) stock, and we have evidence of attacks against some of YOU

This ends today

[#StopTheBots](#)



bloomberg.com
Homebuilding Heir Alleges New COO Is Behind Twitter Bot Attacks
Bill Pulte, famous for giving away money on Twitter, says
PulteGroup's incoming chief operating officer used bots for harassment.

1:13 PM · Dec 14, 2022

574 Retweets 24 Quote Tweets 4,278 Likes



SunFlowerGirl Florida @SunflowergirlF · Dec 14, 2022

Replying to [@pulte](#)

Tell me HOW I CAN HELP YOU.....

2



8



Pulte ✓ @pulte · Dec 14, 2022

Replying to [@SunflowergirlF](#)

Sign up at [PulteLawsuit.com](#) 🇺🇸



pultelawsuit.com
Pulte vs. Brandon Jones



...

BOTS aren't just manipulating our Political Discourse in Public Square, they're also manipulating Wall Street Markets, and Main Street 401Ks. Will you help us [#StopTheBots](#)? "Brandon Jones."

7:35 PM · Dec 14, 2022

324 Retweets 18 Quote Tweets 2,639 Likes

81. Included within Pulte's 1:13 p.m. tweet is a false and defamatory Bloomberg.com article containing the following false and defamatory statements about Jones that Pulte adopted through said republication:

- The headline "Bill Pulte . . . says PulteGroup's incoming chief operating office used bots for harassment."
- "Bill Pulte . . . alleged in a civil complaint filed Wednesday in Palm Beach County, Florida, that newly named PulteGroup COO Brandon Jones has used a network of Twitter bots to harass and defame the family."
- "Pulte, 34, alleges that Jones appropriated the identity of a dead person"

82. On December 15, 2022, Pulte published the following tweet¹³ that were viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, and otherwise adopting the statements listed in the CBNC interview above:

¹³ See <https://twitter.com/pulte/status/1603566980753235968>.



83. On December 16, 2022, Pulte published a series of tweets that were viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory Website and Complaint he filed against Jones:¹⁴

¹⁴ See <https://twitter.com/pulte/status/1603779700756815875>; <https://twitter.com/pulte/status/1603824730657652742>; <https://twitter.com/pulte/status/1603889116776730625>.



Pulte ✓
@pulte

...

Letter to CEO Ryan Marshall @ryamarsh:

Brandon Jones fired over defamatory Twitter Bots

1. Do not punish Employees or their social media.
2. Management must have same rules as them.
3. Waiting for apology. Independent investigation now that internal probe is done?

[\\$PHM](#)

10:50 AM · Dec 16, 2022 · **1.9M** Views

1,001 Retweets **19** Quote Tweets **6,233** Likes



Pulte ✓
@pulte

...

FIRST VICTORY: Fortune 500 PulteGroup COO terminated after running Twitter Bots to Attack the Pulte Family 🇺🇸

are you with me? hang on



[freep.com](#)

PulteGroup's incoming COO fired after Bill Pulte Twitter trolling claims
The firing comes in the wake of a lawsuit from Twitter philanthropist Bill Pulte that the firm's incoming COO harassed and trolled him and his family.

1:49 PM · Dec 16, 2022 · **179.5K** Views

275 Retweets **12** Quote Tweets **2,583** Likes



84. Included within Pulte’s 1:49 p.m. tweet is a false and defamatory Detroit Free Press article containing the following false and defamatory statement about Jones, which Pulte adopted: “Jones used company time and possibly company equipment to carry out the alleged Twitter campaign, which could violate the company’s ethics code.”

85. On December 16, 2022, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and

per se defamatory meanings about Jones, including by republishing the false and *per se* defamatory statements in the AJC article:¹⁵



86. The AJC article adopted in the above tweet additionally contains the following statements conveying false and *per se* defamatory meanings about Jones:

- “PulteGroup has fired one of its top executives after the grandson of the company’s founder charged him with creating online aliases and bots to attack him and the Pulte family.”
- “William J. Pulte . . . said he had informed the board of directors on Monday that Jones had been carrying out an online campaign – mainly on Twitter – using stolen identities and aliases to accuse Pulte and his family of arson, elder abuse and violations of securities law.”

¹⁵See <https://twitter.com/realPulteFamily/status/1603905441339154433>; <https://twitter.com/realPulteFamily/status/1603875550107402240>.

- “Pulte said Jones committed many of these actions while at work and while using company computers. He has asked for an investigation by the Securities and Exchange Commission as to whether regulations or laws have been broken.”

87. On December 19, 2022, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones:¹⁶



88. On December 20, 2022, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory Website and Complaint he filed against Jones:¹⁷

¹⁶ See <https://twitter.com/pulte/status/1604958463343611904>.

¹⁷ See <https://twitter.com/pulte/status/1605181836455710720>.



89. On December 21, 2022, Pulte published a series of tweets that were viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones:¹⁸



¹⁸

See <https://twitter.com/pulte/status/1605586768279085056>;
<https://twitter.com/pulte/status/1605611430350184455>;
<https://twitter.com/pulte/status/1605612355735261185>;
<https://twitter.com/pulte/status/1605722383175729153>;
<https://twitter.com/pulte/status/1605609966433230852>.





90. On December 25, 2022, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory Complaint he filed against Jones:¹⁹

¹⁹ See <https://twitter.com/pulte/status/1607167570410635275>.



91. On December 26, 2022, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones:²⁰

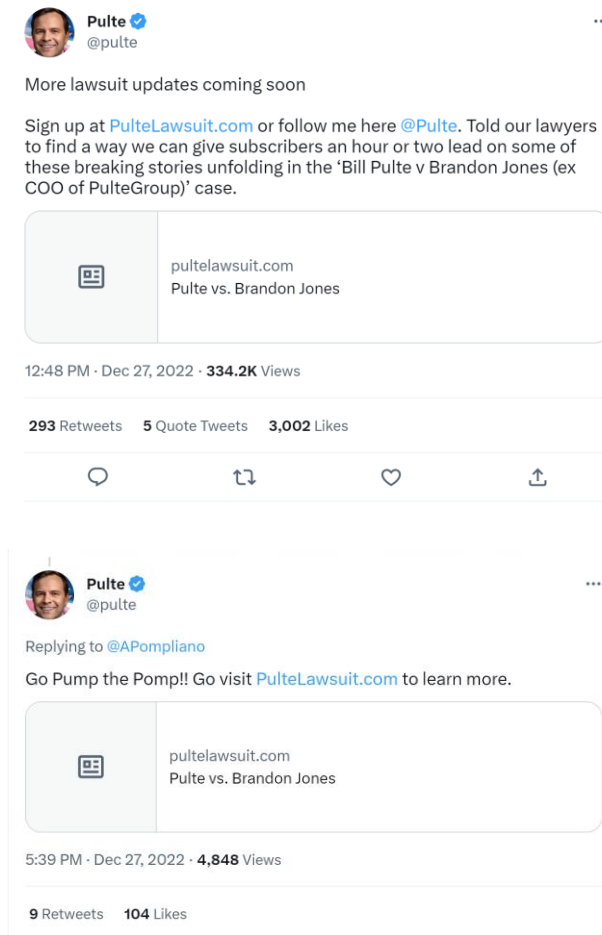
²⁰ See <https://twitter.com/pulte/status/1607442784390094859>.



92. On December 27, 2022, Pulte published a series of tweets that were viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory Complaint he filed against Jones:²¹



²¹ See <https://twitter.com/pulte/status/1607789122063826945>; <https://twitter.com/pulte/status/1607795668512550912>; <https://twitter.com/pulte/status/1607868918319702017>.



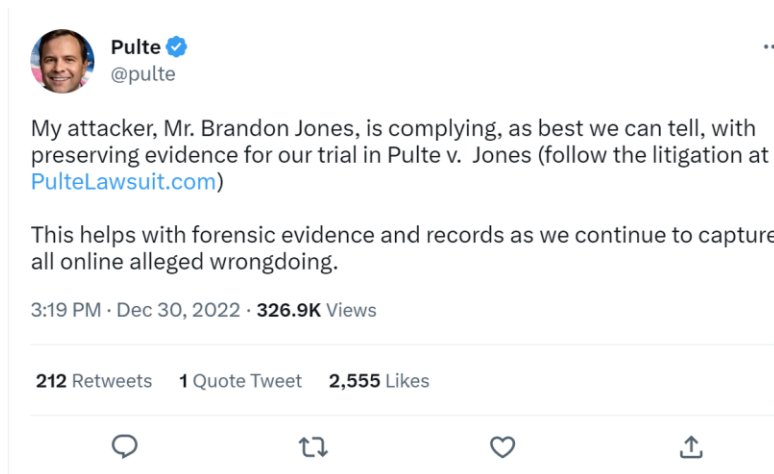
93. On December 28, 2022, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory Website and Complaint he filed against Jones:²²

²² See <https://twitter.com/pulte/status/1608261485867958274>.



94. On December 30, 2022, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory Website and Complaint he filed against Jones:²³

²³ See <https://twitter.com/pulte/status/1608920648784678912>.



95. On January 1, 2023, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory Website and Complaint he filed against Jones:²⁴



96. On January 5, 2023, Pulte published a series of tweets that were viewed in Georgia in which he made the following comments conveying false and

²⁴ See <https://twitter.com/pulte/status/1609626629441212416>.

per se defamatory meanings about Jones, including by republishing the false and *per se* defamatory Website and the Complaint he filed against Jones:²⁵



²⁵See <https://twitter.com/pulte/status/1611085092566229000>; <https://twitter.com/pulte/status/1611085311194325006> <https://twitter.com/pulte/status/1611102248246956033>.

97. On January 10, 2023, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones by republishing the statements he made in the podcast, described above:²⁶



98. On January 12, 2023, Pulte published a series of tweets that were viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones by republishing his Fox Business interview, described above:²⁷

²⁶ See <https://twitter.com/pulte/status/1612855385815240704>.

²⁷ See <https://twitter.com/pulte/status/1613580112137523202>; <https://twitter.com/pulte/status/1613666997392527372>.



Pulte
@pulte

MORNING! We talked housing and gave a Pulte Capital forecast with the best in the business, @MariaBartiromo !



video.foxbusiness.com

US real estate earnings will 'continue to deteriorate': Bill Pulte

Pulte Capital CEO Bill Pulte predicts a U.S. recession and a 'big problem' in housing with mortgage and interest rates.

11:54 AM · Jan 12, 2023 · 101.2K Views

129 Retweets 3 Quote Tweets 1,602 Likes



Pulte
@pulte

We always fight for what's right. For You, Family, and Business! That's why we had to hold Top "PulteGroup" Executive accountable for harassing me and my grandpa with Fake Twitter Accounts. Now, examining Mr. Sheldon's suspicious deactivation.

cc: @MariaBartiromo



5:39 PM · Jan 12, 2023 · 146.3K Views

177 Retweets 10 Quote Tweets 1,787 Likes



99. On January 14, 2023, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing his interview with Fox Business, described above:²⁸



²⁸ See <https://twitter.com/pulte/status/1614405276400066560>.

100. On January 16, 2023, Pulte published a series of tweets that were viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory interview he had with Fox Business, described above, the Website, and the Complaint he filed against Jones:²⁹



²⁹ See <https://twitter.com/pulte/status/1615061758078554137>; <https://twitter.com/pulte/status/1615137994285146114>.



101. On January 17, 2023, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory Website and the Complaint he filed against Jones:³⁰

³⁰ See <https://twitter.com/pulte/status/1615513471109455878>.



102. On January 20, 2023, Pulte published a series of tweets that were viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory Website and the Complaint he filed against Jones:³¹



³¹

See <https://twitter.com/pulte/status/1616548212143230977>; <https://twitter.com/pulte/status/1616554205531066384>.



103. On January 21, 2023, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory Website and the Complaint he filed against Jones:³²



104. On January 22, 2023, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and

³² See <https://twitter.com/pulte/status/1616945054379040768>.

per se defamatory meanings about Jones, including by republishing the false and *per se* defamatory statements he made in his interview with Fox Business, described above:³³



105. On January 30, 2023, Pulte published a series of tweets that were viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the BusinessInsider article containing his statements that Jones used bots to harass Pulte, that Jones “didn’t have the judgment, temperament, or capability for the

³³ See <https://twitter.com/pulte/status/1617254731281498112>.

job,” and Pulte’s statement, “It begs the question, how was an executive doing this during the workweek?”.³⁴



106. On February 2, 2023, Pulte published a tweet that was viewed in Georgia in which he made the following comments conveying false and *per se*

³⁴ See <https://twitter.com/pulte/status/1620059471132368897>;; <https://twitter.com/pulte/status/1620059477734199297>.

defamatory meanings about Jones, including by republishing the BusinessInsider article containing his statements that Jones used bots to harass Pulte, that Jones “didn’t have the judgment, temperament, or capability for the job,” and Pulte’s statement, “It begs the question, how was an executive doing this during the workweek?”:

107. On February 12, 2023, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory Website and the Complaint he filed against Jones:³⁵



³⁵ See <https://twitter.com/pulte/status/1624879487660720130>.

108. On February 13, 2023, Pulte published a series of tweets that were viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones:³⁶



³⁶ See <https://twitter.com/pulte/status/1625121264313458690>; <https://twitter.com/pulte/status/1625190854808768523>; <https://twitter.com/pulte/status/1625300911059787782>.



109. On February 15, 2023, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones:³⁷



110. On February 16, 2023, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones:³⁸

³⁷ See <https://twitter.com/pulte/status/1626010438512087040>.

³⁸ See <https://twitter.com/pulte/status/1626384474765246464>.



111. On February 17, 2023, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones:³⁹

³⁹ See <https://twitter.com/pulte/status/1626683750552592384>.



112. On February 21, 2023, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones, including by republishing the false and *per se* defamatory Website and the Complaint he filed against Jones:⁴⁰

⁴⁰ See <https://twitter.com/pulte/status/1628045462740643841>.



113. On March 1, 2023, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones:⁴¹



⁴¹ See <https://twitter.com/pulte/status/1630991485268099084>.

114. On March 2, 2023, Pulte published the following tweet that was viewed in Georgia in which he made the following comments conveying false and *per se* defamatory meanings about Jones:⁴²



115. The March 2 tweet video that was viewed in Georgia made the following comments conveying false and *per se* defamatory meanings about Jones:

- “[O]ne of the most skilled corporate influence [sic] in investor relations bot networks is secretly being operated by Brandon Jones, the former incoming COO of 10 billion plus dollars PulteGroup Incorporated, to target Bill Pulte, his grandpa, and the Pulte family.”

⁴² See <https://twitter.com/pulte/status/1631430121679626242>.

- “Brandon’s bot network is using multiple bots with fake identities and profiles to engage with one another to make his corporate influence posts more popular than they actually are.”
- “The bots are retweeting and liking his fake accounts to boost fake engagement and use this bot network to create and boost hashtags.
- “Twitter calls this platform manipulation. One expert describes bot networks, ‘The ultimate goal of this disinformation is trying to influence real people.’”
- “Like other bot swarms, Brandon's bot network relies on at least one stolen identity, multiple faked identities and fake professions to trick actual people into thinking he is a real human being.”
- “In one case, one of Brandon's many bots pretended to be a business journalist from Seattle. In another, he stole the identity of a deceased man from Kentucky and appropriated his identity for one of these profiles that engaged in the harassment of certain Pulte family members and certain Twitter followers who support the family's charitable efforts.”
- “Forensic analysts have uncovered evidence that in order to evade detection, Brandon's bot network changed its individual profile identities many times over the course of several months in order to evade detection.”
- “Brandon's bots also scrubbed their posts after some time had passed and it's had the desired effect.”
- “The bot accounts comment on each other's posts to create a false narrative and give the impression that multiple people are engaging in a conversation in order to make the lies more believable.”
- “Lies, obsession, cyberstalking, harassment.”
- “Over the last several months, there have been hundreds and hundreds, maybe thousands of tweets produced by Brandon's bot network.”
- “Brandon's bot network, perhaps illegal for an insider executive of a Fortune 500 company, comments on the stock price and performance of Pulte Homes, a big no-no.”

- “On numerous occasions, the bots would tweet to Pulte's followers near simultaneously, often within seconds or minutes of each other, sometimes four to nine times, back to back, again and again.”
- “With these actions, Brandon violated Twitter's terms of service with his spoof accounts.”
- “The bots create false narratives to confuse and agitate Pulte's followers.”
- “The bots will get into arguments with followers who question their statements or even just post under Pulte's tweets.”
- “In every instance, it was not disclosed to the public that this is a publicly traded executive on the other end, potentially using non-public information to weaponize his bots.”
- “On a recent occasion, Brandon's bots even went as far as insulting and humiliating a follower of Pulte's because of their lack of financial resources and their inability to afford a Pulte Home, which is his employer.”
- “Brandon's intent appears clear, to marginalize Bill Pulte and concerned shareholders using manufactured or stolen identities in order to have fake conversations, bypassing corporate code of ethics, SEC norms and Twitter's own terms of service for the purposes of harassment and reputational harm.”
- “Using multiple fake profiles, Brandon Jones manufactures negative concerns and harassed those whose opinions he did not like.”
- “There's an ongoing investigation into Brandon and the origins of the access points for this bot network and its funding.”

116. The false and *per se* defamatory communications set forth in paragraphs 62 through 115, collectively, the “False Accusations.”

117. Pulte published the False Accusations to as wide an audience as possible, including by doing so to his 3.3 million Twitter followers and by

disseminating them through national media outlets, despite Jones having no significant social media following or national platform.

H. The False and Defamatory Meanings of the False Accusations

118. The false and *per se* defamatory meanings Pulte conveyed through the False Accusations include the following:

- i. Jones was operating Twitter bots;
- ii. Jones was terminated from PulteGroup for using Twitter bots;
- iii. Jones was terminated from PulteGroup for being caught with pornography;
- iv. Jones used his employer's devices and equipment to commit torts against Pulte, including to operate a Twitter bot network.
- v. Jones committed torts against Pulte while in the workplace and/or while on company time.
- vi. Jones engaged in identity theft, including by appropriating the full identity of a deceased man;
- vii. While he was employed by PulteGroup, Jones's tweets disclosed PulteGroup's confidential information, including information that Jones wrongfully obtained from his employer;

- viii. While he was employed by PulteGroup, Jones attacked people for not being able to purchase homes sold by PulteGroup, including based upon their socioeconomic status;
- ix. While he was employed by PulteGroup, Jones tortiously interfered with, attacked, harassed, stalked, or defamed the founder of PulteGroup on Twitter;
- x. While he was employed by PulteGroup, Jones violated SEC rules or regulations through his tweets related to Pulte;
- xi. While he was employed by PulteGroup, Jones violated securities law through his tweets related to Pulte;
- xii. Jones spent more time readying rumored PulteGroup layoffs than he did preparing for any coming market downside.
- xiii. Jones violated criminal statutes in connection with his tweets related to Pulte;
- xiv. Jones engaged in criminal conduct, including by engaging with and following illicit pornography;⁴³

⁴³ While the meaning of “illicit pornography” is plain—meaning it is illegal pornography—when one Google searches the term “illicit pornography,” the first results are titled, “Citizen’s Guide to U.S. Federal Law on Child Pornography,” and then “Child Pornography – Department of Justice.” (*See*

- xv. While he was employed by PulteGroup, Jones committed theft against the shareholders of PulteGroup;
- xvi. While he was employed by PulteGroup, Jones was caught with and terminated for “tapping” pornography;
- xvii. Jones stalked the Pulte family;
- xviii. PulteGroup fired Jones for harassing and defaming the company’s founder;
- xix. Jones was not qualified to be COO of PulteGroup;
- xx. Jones posted offensive material, such as pornography, sexually suggestive content, racial slurs, or offensive language or jokes in the workplace, which Pulte contends violated Jones’s employers social media code of conduct;
- xxi. Through his social media activity, Jones made comments to or about the PulteGroup community in which Jones made derogatory comments regarding a person’s sexual orientation, religious beliefs, national origin, disability, and other protected classifications in the

<https://bit.ly/42x2qKY> (last visited March 16, 2023); <https://bit.ly/3JBj7w3> (last visited March 16, 2023); <https://bit.ly/42wuoGN> (last visited March 16, 2023).

workplace, which Pulte contends violated Jones's employer's social media code of conduct;

xxii. Through his social media activity, Jones made false, misleading, or deceptive statements about third parties, including competitors, which Pulte contends violated Jones's employer's social media code of conduct;

xxiii. Through his social media activity, Jones made communications prohibited by law or designed to encourage illegal or improper behavior, which Pulte contends violated Jones's employer's social media code of conduct;

xxiv. Through his social media activity, Jones violated his employer's code of conduct by acting as a pseudo investor relations department;

xxv. Jones deleted evidence;

xxvi. Jones stalked and harassed Pulte's wife during her pregnancy;

119. The above false and *per se* defamatory meanings in paragraph 118 are just that, false.

I. Pulte Published the False Accusations with Actual Malice

120. Pulte published the False Accusations with actual malice, including because he had actual knowledge that Jones was not operating a Twitter "bot"

network, that PulteGroup did not conclude that Jones was using Twitter bots, and that PulteGroup did not terminate Jones for using Twitter bots.

121. Pulte published the False Accusations with actual malice, including because he fabricated from whole cloth that Jones engaged with “tapping” or “illicit” pornography, that PulteGroup terminated Jones in connection with pornography of any kind, and that Jones was caught with tapping pornography.

122. Pulte published the False Accusations with actual malice, including because he had actual knowledge that Jones did not engage in identity theft, including by stealing or fully appropriating the identity of a deceased man.

123. Pulte published the False Accusations with actual malice, including because he had no knowledge of Jones using PulteGroup equipment or devices to publish tweets about Pulte, and thus manufactured the accusation from whole cloth.

124. Pulte published the False Accusations with actual malice, including because he had no knowledge of Jones publishing tweets about Pulte while Jones was in the workplace or on company time, and thus manufactured the accusation from whole cloth.

125. Pulte published the False Accusations with actual malice, including because he had read the tweets in question and knew they never disclosed

confidential information about PulteGroup, let alone information that was wrongfully obtained from PulteGroup.

126. Pulte published the False Accusations with actual malice, including because he had read the tweets in question and knew they never attacked people for not being able to purchase homes sold by PulteGroup, including based upon their socioeconomic status.

127. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that Jones tortiously interfered with, attacked, harassed, stalked, or defamed the founder of PulteGroup on Twitter.

128. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that PulteGroup fired Jones for harassing and defaming the company's founder.

129. Pulte published the False Accusations with actual malice, including because he had no knowledge, and thus manufactured from whole cloth, that while Jones was employed by PulteGroup, Jones violated SEC rules or regulations, and/or securities law, through his tweets related to Pulte.

130. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that Jones spent more time readying

rumored PulteGroup layoffs than he did preparing for any coming market downside.

131. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that Jones violated criminal statutes in connection with his tweets related to Pulte.

132. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that Jones violated criminal statutes, including by engaging with and following illicit pornography.

133. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that Jones engaged with, including followed, illicit pornography and “tapping” porn, and thus Pulte was also aware that Jones did not violate his employers code of conduct by engaging with such pornography.

134. Pulte demonstrated his serious doubts as to the truth of his accusations about Jones violating his employers code of conduct by engaging with illicit pornography, including because this was one of the few accusations he chose to qualify with the term “allegedly,” erroneously presuming that such a qualifier could render his statement a protected opinion.

135. Pulte published the False Accusations with actual malice, including because Pulte had no knowledge, and thus manufactured from whole cloth, that Jones committed theft against the shareholders of PulteGroup.

136. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that Jones stalked the Pulte family.

137. Pulte published the False Accusations with actual malice, including because Pulte knew that Jones was qualified to be PulteGroup's COO, including because Pulte knew that Jones had worked at the company for nearly two decades, during which Jones successfully led thousands of employees, resulting in all-time profitability for the company.

138. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that through Jones's social media conduct, Jones posted pornography, sexually suggestive content, racial slurs, and offensive language or jokes in the workplace, which Pulte contends violated Jones's employer's social media code of conduct.

139. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that through Jones's social media activity, Jones made comments to or about the PulteGroup community in which Jones made derogatory comments regarding a person's sexual orientation, religious

beliefs, national origin, disability, and other protected classifications in the workplace, which Pulte contends violated Jones's employer's social media code of conduct.

140. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that through Jones's social media activity, Jones made false, misleading, or deceptive statements about third parties, including competitors, which Pulte contends violated Jones's employer's social media code of conduct.

141. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that through Jones's social media activity, Jones violated his employer's code of conduct by acting as a pseudo investor relations department.

142. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that through Jones's social media activity, Jones made communications prohibited by law or designed to encourage illegal or improper behavior, which Pulte contends violated Jones's employer's social media code of conduct.

143. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that Jones deleted evidence.

144. Pulte published the False Accusations with actual malice, including because he manufactured from whole cloth that Jones stalked and harassed Pulte's wife during her pregnancy.

145. Pulte demonstrated his serious doubts as to the truth of his accusations on his website <https://pultelawsuit.com/>, including because he published the following disclaimer stating "statements on this website are opinions and allegations sources from a legal complaint" and that the readers "should do their own diligence."

146. Pulte published the False Accusations with actual malice, including because they are part of a misguided campaign to destroy Jones; i.e., they are motivated by common law malice and he has therefore been willing to—and intentionally has—manufactured allegations out of whole cloth and otherwise distorted and manipulated information available to him. As described above, Pulte wished to destroy Jones, who he saw as a threat to his false narrative of being the de facto head of the Pulte family and the torchbearer of the life's work of his grandfather, the founder of PulteGroup.

147. Pulte published the False Accusations with actual malice, including because they are part of a misguided campaign to gain power in PulteGroup, including through a board seat, by disparaging the company and its executive team;

and he has therefore been willing to—and intentionally has—manufactured allegations out of whole cloth and otherwise distorted and manipulated information available to him.

Count I
Defamation *Per Se*

148. Jones hereby incorporates Paragraphs 1 through 147 above, as if fully set forth herein.

149. Pulte published the False Accusations to third parties without justification or privilege.

150. The False Accusations were of and concerning Jones and were understood as such by third parties.

151. Pulte acted willfully and maliciously in publishing the False Accusations about Jones.

152. Pulte published the False Accusations with actual malice.

153. Pulte did not publish the False Accusations in good faith, including because he published them with actual malice.

154. The False Accusations conveyed per se defamatory meanings about Jones.

155. The False Accusations proximately caused damages to Jones.

156. The False Accusations have been republished by third parties, as was foreseeable and intended by Pulte, proximately causing additional damages to Jones.

157. As a result of Pulte's libel, slander and defamation, Jones has suffered incidental, consequential, special, general, and compensatory damages in an amount to be determined at trial. This harm includes, but is not limited to, harm to Jones' business relationships, his reputation, loss of income, and the costs and fees to hire professionals to deal Pulte's false and defamatory smear campaign.

Count II
Punitive Damages and Expense of Litigation

158. Jones hereby incorporates Paragraphs 1 through 157 above, as if fully set forth herein.

159. Pulte's acts demonstrate bad faith, constitute stubborn litigious conduct, and have caused Jones unnecessary trouble and expense, entitling Jones to recover his costs and expenses of this litigation, including reasonable attorneys' fees, pursuant to O.C.G.A. § 13-6-11.

Count III
Punitive Damages

160. Jones hereby incorporates Paragraphs 1 through 157 above, as if fully set forth herein.

161. Pulte's acts were intentional, wanton, willful, fraudulent and oppressive, entitling Jones to recover punitive damages in an amount to be determined at trial according to the enlightened conscience of the jury pursuant to O.C.G.A. § 51-12-5.1.

REQUESTED RELIEF

WHEREFORE, Counter-Plaintiff, Brandon Jones, hereby demands:

- (a) That this Court issue a permanent injunction and other appropriate equitable relief to restrain Pulte from republishing the False Accusations upon a final determination of their falsity;
- (b) That Jones have and recover a judgment against Pulte for all damages recoverable including, but not limited to, nominal, presumed, general, actual, compensatory, punitive and expenses of litigation, including attorney's fees, in an amount to be proved at trial;
- (c) That Jones be awarded prejudgment and post judgment interest as provided by law;
- (d) That Jones be awarded its actual attorney's fees as provided by law, including O.C.G.A. § 13-6-11;
- (e) That the Court tax the costs of this action against Pulte; and
- (f) Such other and further relief as this Court deems just and appropriate.

Respectfully submitted this 22nd day of March, 2023.

WADE, GRUNBERG & WILSON, LLC

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Counsel for Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff Brandon Jones demand a trial by jury on all counts so triable.

Respectfully submitted this 22nd day of March, 2023.

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CERTIFICATION UNDER L.R. 7.1D

Pursuant to Northern District of Georgia Civil Local Rule 7.1D, the undersigned counsel certifies that this VERIFIED COMPLAINT FOR DEFAMATION is a computer document and was prepared in Times New Roman 14-point font, as mandated in Local Rule 5.1C.

Respectfully submitted this 22nd day of March, 2023.

WADE, GRUNBERG & WILSON, LLC

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